UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 05-3384

Mathis

vs.

Erie Pol Dept, et al.

Mary A. Mathis, Appellant

(Western District of Pennsylvania Civil No. 04-cv-00352)

ORDER

Pursuant to Rule 3(a) of the Federal Rules of Appellate Procedure and Third Circuit LAR Misc. 107.2,

It is $O\ R\ D\ E\ R\ E\ D$ that the above-entitled case is hereby dismissed for failure to timely prosecute;

It is FURTHER O R D E R E D that a certified copy of this order be issued forthwith as the mandate.

For the Court,

Marcio M. Waldron

Clerk

Date: October 31, 2005

cc:

Ms. Mary A. Mathis Patrick M. Carey, Esq.

A hus Copy:

Marcio M. Waldion,

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